

REMARKS

In accordance with the above amendments, claims 1, 14, 26 and 33 have been amended and claims 2, 15 and 27, cancelled. Claims 1, 3-14, 16-26 and 28-40 remain under consideration in the present application and no claim has been allowed.

It is noticed that all of the claims stand rejected under 35 USC § 102(e) as being anticipated by Koistinen et al (U.S. Patent 6,154,778). These rejections are respectfully traversed.

It is believed that the system taught by Koistinen for determining whether an interface is capable of fulfilling a quality of service demand of an application does not meet the limitations of the present claims. Note, for example, that the Koistinen et al '778 system requires filtering of the data included in the quality of service specifications prior to the determination of any capability to support the quality of service level. This is not required by the system of the present invention which requires only a direct evaluation and negotiation between the interface and the applications. For this and other reasons, the system and method of the present invention are believed to be less complicated, easier to implement inventive improvements on the prior systems.

Please be advised that all correspondence should be sent to the undersigned attorney and also, please note the change in the firm name from "Nikolai, Mersereau & Dietz, P.A." to "Nikolai &

Mersereau, P.A.". It is requested that the records for this application be changed accordingly.

Based on the above amendments, taken together with the remarks herein, applicant respectfully requests reconsideration and allowance of the claims.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.



C. G. Mersereau
Attorney Reg. No. 26,205
820 International Centre
900 Second Avenue So.
Minneapolis, MN 55402
Telephone: (612) 339-7461